

Consumer Grievance Redressal Forum
FOR BSES YAMUNA POWER LIMITED
(Constituted under section 42 (5) of Indian Electricity Act. 2003)
Sub-Station Building BSES (YPL) Regd. Office Karkardooma,
Shahdara, Delhi-110032
Phone: 32978140 Fax: 22384886
E-mail: cgrfbypl@hotmail.com
SECYCHIN01508NKS

**CA No. Applied for
Complaint No. 27/2023**

In the matter of:

Sayda ParveenComplainant

VERSUS

BSES Yamuna Power LimitedRespondent

Quorum:

1. Mr. Nishat A Alvi, Member (CRM)
2. Mr. P.K. Agrawal, Member (Legal)
3. Mr. S.R. Khan, Member (Technical)

Appearance:

1. Mr. Suraj Aggarwal, Counsel of the complainant
2. Ms. Ritu Gupta, Mr. Imran Siddiqi, Ms. Shweta Chaudhary, Mr. Shubham Singh & Ms. Divya Sharma, On behalf of BYPL

ORDER

Date of Hearing: 02nd March, 2023

Date of Order: 10th March, 2023

Order Pronounced By:- Mr. S.R. Khan, Member (Technical)

1. Present complaint has been filed by Ms. Sayda Parveen, against BYPL-YVR.
2. The brief facts of the case giving rise to this grievance are that complainant Ms. Sayda Parveen, applied for new electricity connection vide request no. 8005991717, 8005991943, 8005991989, 8005991719 and

Order by SRK

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8005991961 at premises no. B-110, Kh No. 52/1/1, Main 50 feet road, Chaman Park, Village Johripur, Delhi-94, but respondent rejected her applications for new connections on pretext of 'space for electric sub fire safety clearance required for building height more than 15 meters without stilt parking (residential building). He further submitted that now the basement floor has been closed and total building area is less than 1000 sq meters and the height of the building should be measured from the ground level which is less than 15 meters and they have also submitted architect certificate.

3. The OP in their reply briefly stated that the complainant applied for fresh new connections at house no. B-110, street no. 2, Chaman Park, Indra Vihar, North East Delhi-110094 vide application no. 8005991717, 8005991943, 8005991961, 8005991989 and 8005991719.

OP further submitted that during site visit it was found that building structure is basement + ground floor + four floors + lift room. Building is commercial, building height is more than 15 meters without any stilt parking, and there is no space for electric substation (ESS) and fire safety. Total area of building is total 1404 sq yards which is more than 1000 sq yards.

On re-visit of the site the entrance of basement was found to be closed but there is every likelihood that once the connections are released the same will be opened, thus in current scenario no new connection can be release till space for ESS is provide and other formalities are fulfilled.

4. The counsel of the complainant argued that the he applied for new electricity connections vide application no. 8005991717, 8005991943, 8005991961, 8005991989 and 8005991719 which respondent rejected on pretext of building height more than 15 meters and area more than 1000

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By GA


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sq yards. He further added that the basement in question is not in use and in future also they are not going to use it. The building is mixed use and they have also submitted architect's certificate stating that building height is less than 15 meters and total build up area is 1000 sq meters.

5. The LR of the OP submitted the site re-visit report and their report submitted that 'structure found G+4floors+liftshaft+toilet. GF+FF+2F+3F are in commercial activity.4th floor is having proper residence with kitchen and room's and on roof one toilet with lift shaft exists but lift not installed. Basement is closed by concrete, no way to enter the basement.
6. Heard both the parties and perused the record. Heard the arguments of Authorized Representative of the complainant and OP-BYPL.
7. Heard both the parties and perused the record. From the perusal of evidence placed on record pleadings and after hearing both the parties it is transpired that complainant asked for new connections at house no. B-110, street no. 2, Chaman Park, Indra Vihar, North East Delhi-110094 vide application no. 8005991717, 8005991943, 8005991961, 8005991989 and 8005991719, but respondent raised objection that the building height is more than 15 meters and area more than 1000 sq yards. The latest site visit report dated 24.02.2023 submitted by OP stated that basement is closed by concrete and there is no way to enter the basement.
8. In view of the above, we are of considered opinion that the site visit report of the OP dated 24.02.2023 says that basement is closed by concrete, this thus nullifies the contentions of the OP itself regarding building height more than 15 meters and requirement of electric sub-station.

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9. We are of the view that the respondent may be directed to provide the connection with the condition that at the time of release of new connection the complainant shall file an affidavit to undertake on oath, that they would not construct the basement in future and if they do so, OP shall be entitled/at liberty to disconnect the electricity supply against the connection, so granted.


ORDER

Complaint is allowed. Respondent is directed to release the connection applied by complainant after completion of all the commercial formalities and after submitting her aforesaid affidavit to the OP.


The OP is also directed to file compliance report to this office within 21 days from the issue of this order.

The case is disposed off as above.

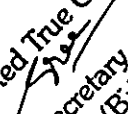
No order as to the cost. Both the parties should be informed accordingly. File be consigned to Record Room.


(NISHAT A ALVI)
MEMBER (CRM)


(P.K. AGRAWAL)
MEMBER (LEGAL)


(S.R. KHAN)
MEMBER (TECH.)

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